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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : James A. Porterfield
FOR : SOFTWARE AND MEHTOD OF
RECORDING PROGRESS OF
REHABILITATION TREATMENT
SERIAL NO. : 09/954,927
FILED : September 18, 2001
LAST OFFICE ACTION : UNKNOWN
EXAMINER : UNKNOWN
GROUP ART UNIT : 2161
ATTORNEY DOCKET NO. : 0827.0005

RECEIVED
DEC 20 2001
Group 2100

Akron, OH 44308
October 24, 2001

CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56 and §1.97 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on this 24 day of October, 2001.

By: Janet E. Sigler
Janet E. Sigler

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56 and §1.97

Dear Sir:

In accordance with 37 C.F.R. § 1.56 the applicant files this Information Disclosure Statement (IDS) under at least one of the following five circumstances:

1. ☐ **No Information to disclose:** applicant has no information to disclose at this time.
2. ☐ **Under § 1.97(i):** this IDS is filed with the knowledge that it will NOT be considered.
 - this IDS is filed BEFORE the grant of a patent; AND
 - this IDS does NOT comply with the requirements noted below
 - applicant notes that the information disclosed herein WILL be placed in the file
3. ☒ **Under § 1.97(b):** this IDS should be considered because it is being filed
 - within 3 months of the filing date of a national application OR
 - within 3 months of the date of entry of the national stage of an international appl. OR
 - before the mailing date of a first Office Action on the merits, whichever occurs last.
4. ☐ **Under § 1.97(c):** this IDS should be considered because it is being filed
 - after the period specified Under § 1.97(b) above but BEFORE either
 - the mailing date of a final action under § 1.113 OR
 - the mailing date of a notice of allowance under § 1.311, whichever occurs last,
 - AND is accompanied by either:

A) ☐ one of the following statements under § 1.97(e):

I, Daniel A. Thomson, Esq., the undersigned hereby state:

(1) ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, OR

(2) ☐ To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; OR

B) ☐ A check in the amount of \$ 240.00 is enclosed to cover the Information Disclosure Statement (IDS) Fee under 37 C.F.R. § 1.17(p) as required when neither item (1) nor (2) above are selected.

5. ☐ **Under § 1.97(d):** this IDS should be considered because it is being filed
 - after the period specified Under § 1.97(c) above but
 - ON OR BEFORE payment of the issue fee,
 - and is accompanied by:

A) ☐ one of the following statements under § 1.97(e):

I, Daniel A. Thomson, Esq., the undersigned hereby state:

(1) _____ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, OR

(2) _____ To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; AND

B) _____ a petition requesting consideration of the IDS; AND

C) _____ A check in the amount of \$ 130.00 is enclosed for the petition fee as set forth under 37 C.F.R. § 1.17(i).

In accordance with § 1.56 and § 1.97 the references listed below and on the attached form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of these cited documents are enclosed.

English-Language Documents

Patentee	Patent No.	Issue Date
Bair et al.	6,067,523	May 23, 2000
Barber	4,858,121	Aug. 15, 1989
Dorne	5,325,293	Jun. 28, 1994
Ertel	5,307,262	Apr. 26, 1994
Giannini	5,915,241	Jun. 22, 1999
Mohlenbrock et al.	4,667,292	May 19, 1987

Foreign Patent Documents in English

Country	Patent No.	Issue Date
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Foreign-Language Documents

Country	Patent No.	Issue Date
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Other Documents

X Please charge deposit account No. 05-0875 if any additional fees are required.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO-1449 with initials or other appropriate marks.

Respectfully submitted,

EMERSON & SKERLOTIS



Daniel A. Thomson, Esq.

Reg. No. 43,189

One Cascade Plaza - Fourteenth Floor

Akron, OH 44308-1147

(330) 535-9999

October 24, 2001
Date

SOFTWARE AND METHOD OF RECORDING PROGRESS OF
REHABILITATION TREATMENT

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

Sheet 1 of 1

ATTY. DOCKET NO. 0827.0005	SERIAL NO. 09 954 927
APPLICANT James A Porterfield	
FILING DATE September 18, 2001	GROUP 2161

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	6 0 6 7 5 2 3	5/2300	Bair et al.	705	3	7/3/97
	4 8 5 8 1 2 1	8/15/89	Barber et al	364	406	12/12/86
	5 3 2 5 2 9 3	6/28/94	Dorne	34	413.01	2/18/92
	5 3 0 7 2 6 2	4/26/94	Ertel	364	413.01	1/29/92
	5 9 1 5 2 4 1	6/22/99	Giannini	705	2	9/12/97
	4 6 6 7 2 9 2	5/19/87	Mohlenbrock et al.	364	406	2/16/84

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED